



Paul R. LePage
Governor, State of Maine

Paul K. Vestal, Chair
Edwin P. Chester, Esq.
Vice Chair

Maine Juvenile Justice Advisory Group

MINUTES January 23, 2013

I. Roll Call:

Present: Mark Boger, Ned Chester, Esq., Nickole DeMerritt, Dalene Dutton, Jim Foss, Jacinda Goodwin, Honorable Charles LaVerdiere, Sgt. Jonathan Shapiro, Barry Stoodley, Christine Theriault, Christine Thibeault, Esq., Patrick Walsh, and Paul Vestal

Absent: Richard Brown, Abigail Comee-McCourt, Carla Knapp, Randall Liberty, Margaret Longsworth, Joan McDonald, Hannah McMullen, Dan Nichols and Dr. Lindsey Tweed

Staff: Kathryn McGloin, Juvenile Justice Specialist, Ryan Andersen, Compliance Monitor, Noël Bonam, DMC, Elaine Brann, Staff Assistant

The JJAG Meeting was called to order by Paul Vestal, JJAG Chair at 9:05 A.M.

II. Minutes:

The minutes for the December 5, 2012 JJAG meeting were approved.

Motion: To approve the December 5, 2012 Minutes

Moved: Christine Thibeault/Mark Boger/2nd

Action: Approved

III. Chair Report – Paul Vestal, Jr.:

Paul reported receipt of a letter from OJJDP that the JJAG came out of our annual compliance review with “flying colors.” We need to add other members to the JJAG, specifically educators. It would have to be a Superintendent or Principal. Paul emphasized the need to fill that slot and added that we also need a business person, preferably someone who does a lot of hiring of kids. A question was asked about including a National Guard member and Paul responded by referring to the by-laws which state that State Advisory Groups can’t have over 50% of members employed by Federal, State or local governments. Youth members, anyone under the age of 24, are needed as well. The requirement is that one fifth of the membership be youth members. A suggestion was made that Ryun Anderson from Youth Move and Pender Makin of the REAL School might be good choices in that they could bring youth members.

Paul also mentioned that Christine, Ned, Ryan, and Kathryn attended a Public Safety and Criminal Justice Committee meeting. Ned and Christine carried our banner and spoke to the members about the work of the JJAG. Handouts were provided. Christine added that the Committee has all new members except for three and that they seemed pretty interested to hear about us.

Paul asked Barry to speak to membership about an upcoming conference requesting sponsorship and offering free or discounted registration to the JJAG.

A decision must be made about use of the Juvenile Accountability Block Grant. In the past we have awarded the JABG to Corrections for different projects most recently the Diversion to Assets Project. The funds have decreased significantly and the funding usually doesn't go out to RFP. Paul advised the members that this might be a good time for us to discuss giving that money to DOC for Restorative Practices.

Kathryn explained that the funds could go to a State agency or a unit of local government and they may contract with nonprofit entities or community-based organizations to carry out the purposes of the Grant. The focus of the grant is to develop and implement coordinated delinquency intervention programs and to improve the JJ system. The application is due on February 28th.

Paul asked Barry to speak to the JAB Grant funding. The JJAG has always taken a lead on this and will always take a lead in making a determination about how that money is used. Restorative Justice has been an important matter that JJAG wanted to support. He indicated he would like to continue supporting Performance-based Standards (PbS) with the JAB Grant. The JJAG and both Juvenile facilities have gotten national recognition and he and Rod Bouffard will report this week to all the PbS coordinators from around the country. Restorative Justice and PbS are two major areas.

Kathryn reported that we should plan on receiving \$167,214.00 and stated that it was down from about 3 million. A question was asked about match requirements and Kathryn stated that there was a match of 10%. Dalene asked for clarification that she understands that we are still proposing that it goes to DOC to be distributed. Kathryn responded "yes." There was further discussion on various programs that could be funded and questioning the need for a Request for Proposals process. There was some concern over where the money is going and how it will be spent. Kathryn explained that no one could spend that money without the okay of the JJAG.

Barry gave an explanation on how the JABG got started and further stated that because of budget cuts, the DOC put management of the funds under the administration of the JJAG. Funding for law enforcement training was also discussed.

Motion: To allocate the JABG funds to Address Restorative Practices with a Disproportionate Minority Contact Component.

Moved: Dalene Dutton/Ned Chester/2nd

Action: Approved with 3 Abstentions

Barry stated that he will abstain from voting but emphasized the importance of maintaining Performance-based Standards as it pertains to our two juvenile facilities and explained that data is reported every six months to the Council of Juvenile Correctional Administrators (CJCA), which measures and graphs overtime (back to 1998), the number of hours in isolation

and secure confinement and then makes comparisons with other facilities across the country. (Other data points are also collected, analyzed and compared.) This is the most important way to rate juvenile facilities. The data are used to set goals and develop self-improvement plans. Paul asked how much money was needed and Barry stated \$12,000 stating that the remainder will be covered by the Department.

Paul suggested a separate motion be made to take out the \$12,000 rather than amend the first motion.

Motion: To allocate \$12,000 out of the JABG for the Performance-based Standards.

Moved: Christine Thibeault/Jim Foss/2nd

Action: Approved with 3 Abstentions

IV. Juvenile Justice Specialist Report – Kathryn McGloin:

Kathryn reported that an update of the Three Year Plan is due April 4th. We are to write the update with the current level of funding in mind; \$400,000. OJJDP is unsure of the allocation at this time. Updates are needed in the DMC section and the Compliance Monitor section. Any new data or changes related to the juvenile justice system must be included. A decision must be made regarding program areas, to change or not to change them, and the budget. For more than 10 years program areas have been delinquency prevention, alternatives to detention, school suspension and expulsion. Kathryn suggested it might better to do this work as a smaller group of four or five people rather than a large group and asked for volunteers. Jonathan Shapiro, Dalene Dutton, Patrick Walsh and Carla Knapp will form the ad hoc committee. Jonathan suggested that we change the school program area from suspension and expulsion to school safety.

Collaborative Problem Solving (CPS) is going well. Five schools completed and are working on their own without help from Ross Greene, although he is available if they have questions or concerns.

Kathryn will attend the National Juvenile Justice Symposium and Disproportionate Minority Contact conference in Biloxi, Mississippi. While there she will meet with the Northeastern JJ Specialists. Today is Administrative Assistant's Day and everyone thanked Elaine for her work with the JJAG. Kathryn will be part of a team of Mainer's heading to Oregon for a Juvenile Detention Alternative Initiative (JDAI) Site Visit. Multnomah County was selected as a site because it is most similar to Maine in demographics and the juvenile justice system. The Positive Youth Development Institute has requested support for the July, 2013 Institute. We have supported them for a few years at \$5,000 with the opportunity for JJAG members to attend the Institute free of charge. There was discussion and a suggestion was made that we postpone this for further discussion and to check on JJAG finances. Paul suggested that this be added to the JJAG Agenda for next month. Kathryn also mentioned an FYI and explained that the Diversion to Assets Program with Susan Savell has a little bit of an accounting problem and she will share everything with the members as soon as she gets more information. The issue is not severe but simply money being spent that shouldn't.

Kathryn praised Ryan for the excellent work he is doing and stated that Elissa Rumsey, OJJDP Compliance Monitor, has asked Ryan to be an OJJDP Northeastern Compliance Monitor trainer.

Kathryn also announced to the JJAG that she just became a grandmother to a little girl with red hair.

V. Compliance Monitor Report – Ryan Andersen:

Ryan stated that the 2012 Compliance Monitoring annual report for OJJDP has been submitted and passed out a few copies to members. An itemized list of all the law enforcement facilities and agencies that received a site visit or technical assistance over the course of the year is included. Ryan listed and explained all of the other information in the report. Ryan will send an electronic copy to members. The report includes data from the juvenile facilities, county jails and 82 municipal police departments. One notable change from the facility perspective is that in 2011 there were 41 police lockups that had secure detainment potential and in 2012 there were 36. The reason for the decline is that departments don't have the resources and he explained that once a juvenile is locked up an officer must be by their side until they're released. There were a handful of departments in 2012 requesting decertification from DOC which was granted. Core requirement violations, sight sound separation of juveniles from adults in adult facilities, is zero (0) (the same as in 2011), jail removal, keeping juveniles out of jail facilities that are primarily intended for adults, dropped to zero (0), and deinstitutionalization of status offenders also dropped from 1.84 per 100,000 (2011) to 1.46 per 100,000 (2012). Ryan stated that compliance was improving overall.

Judge LaVerdiere asked Barry about a bill in the Legislature to allow DOC to house 18 to 24 year olds in juvenile facilities.

Barry reported on a couple of problems that the DOC is facing. The number of kids at Mountain View is too small so they are not going to be able to run that facility because of the cost and, the 18 to 24 year olds in the adult system are not doing well. The recidivism rate is high, there are high health needs and there is a significant amount of trauma with the 18 to 24 year old population. A plan has been put together so the Department of Corrections can do a better job with that group of young adult offenders and keep them away from the more hardened criminal adult offenders by giving them the kind of programs that we are offering the older juvenile population so we can get better results. Concerning sight and sound separation Ryan has been guiding the plan and has approval from OJJDP. There will be a separate section at Mountain View for detained youth with a separate entrance so the kids will come and go without adult prisoner contact. All of the programs and the recreation area will be sight and sound separated. It may be difficult to do that programmatically but it will be done. Barry emphasized that there is no plan underway that would mix those two groups.

A question was asked if this was open to males only and Barry responded that it was.

Judge LaVerdiere stated that he understood the need for young adult offenders to have a program and a place to go away from hardened criminals but, he again expressed his concern

about the ability of the facilities to realistically be able to completely segregate the young juveniles from the older kids who might be teaching them things that they shouldn't be learning.

Barry agreed with the Judge, thanked him for bringing up his concern and stated that it was a very legitimate concern. The planning is still in process. Barry will hold the Department accountable to bring the plan to the JJAG for discussion as they will be doing this with the Legislature. The plan has five different options and, in the interest of the kids from the Northern, Central and Eastern parts of the state, they are trying to maintain a facility in that area. This is was the best way to go. Other options were to close Mountain View completely, or build a separate facility, or move the kids to Long Creek.

VI. Disproportionate Minority Report – Noël Bonam:

Noël reported that the Youth Group meetings at Long Creek have been suspended in order to reorganize. Folks with the NAACP Refugee Program in Portland have been meeting to set up a Long Creek Open House for families and parents. Conversations in that regard with Ned, Christine and Kathryn are focused on where this fits with the JJAG DMC plan. We would like to collaborate however are bound by the plan approved by OJJDP. We will see if there is overlap or room for collaboration. More information is needed. Erica King is coordinating the JDAI initiative in Maine and is committed to making sure that the JJAG DMC project and the JDAI work is complimentary. She is interested in partnering to do some training. A meeting with Erica to discuss that and to figure out what is the best approach so that we're not doing two different things while working toward the same goal. Noël stated that they have been in contact with the Sudanese, Congolese and Somali communities to develop training for their communities. Meeting dates are being discussed at this time.

Ned added that they have revised the list of JJ system vocabulary words that Mike Mack had created. Ned further explained that they are hoping to work on this with an interpreter. This latest version is looking better and they hope to have that available to different folks that work with youth from other countries.

VII. Committee Report:

Christine Thibeault, Esq. – Legislative Committee – Christine reported that she and Ned will be working on the *Not Guilty by Reason of Insanity Bill*. They had to be careful of how they drafted the bill so that we reach only the population which we want. She has been receiving all of the Bills and mentioned that there were almost 1400 Legislator Bills put in, not including the Department bills. It will be well over 2000 Bills submitted this year. The Criminal Justice Committee consists mostly of new Legislators. There are no women on the Committee at all and they seem to be pretty interested in us. Christine assured everyone that she reads every Bill that comes to her.

Barry Stoodley, Associate Commissioner - DOC - Barry reported that several months ago he received information from Dr. Moltz, Program Chair for the Maine Psychiatric Physicians

Association that they are bringing Dr. Felitti here in April for a presentation. Barry recommended that the JJAG provide \$500 to support this conference. The work around ACES is being implemented in more and more places around the state through the SAMHSA Grant. The Adverse Childhood Experiences (ACES) research is clearly built into that Grant and we are hoping to be able to identify some of the adverse childhood experiences. Intergenerational trauma is even more significant than just the trauma associated with the kids. We want to find a way to identify trauma and to build trauma informed care into our program from our four year grant. If the JJAG were to vote \$500 to support this conference, the JJAG could have two free slots or if more people wanted to go, a reduction in the registration cost. The JJAG would be clearly identified in the program material and, if we wanted, there is the possibility of setting up a booth at the conference to promote the work of JJAG. There was a discussion on who could attend and if this was open to negotiation. Barry suggested that if the JJAG is interested, he would be willing to negotiate with Dr. Felitti for up to 10 slots for JJAG Members.

Motion: To provide up to \$1,000 to the Adverse Childhood Experiences and the Development of Adult Health-Risks, Violence, Disease & Premature Death Conference on April 19, 2013.

Moved: Jonathan Shapiro/Christine Thibeault/2nd.

Action: Passed

Barry announced that he will be retiring next month and Dr. Fitzpatrick will be taking his place and attending the next JJAG meeting pending Commissioner Ponte's approval. Barry stated that he will still be working for a time to make sure this transition is as smooth and effective as possible.

Barry also mentioned that there is a lot of work going on with the SAMHSA Systems of Care Extension Grant. We must have a statewide leadership committee and he will make sure that the JJAG is well represented. The Community Reintegration Specialists created as a result of the recidivism data from Muskie have been successful. The Department was able to analyze data and develop some policy changes that have resulted in a reduction of offenses by two thirds in both facilities.

As part of the SAMHSA Grant, the Department is actually going to be conforming Performance-based Standards around trauma informed practice so we're reviewing all of the policies and practices in both juvenile correctional facilities and in the field. A family questionnaire which we do for staff and youth every six months as part of a performance based standard will now be expanded to families.

Sgt. Jonathan Shapiro – Dept. of Public Safety – Sgt. Shapiro updated everyone on the collective work that has been done on first the Juvenile Review Board (JRB). A document on the JRB will be released soon for JJAG feedback. The Mediation Program data are positive. Jonathan spoke about his concern of an article he read in the paper focusing on the safe school issues with our Maine teachers. It is important collectively to get policymakers to understand that the safe school issue is bigger than just the tactical side. Jonathan explained the importance of identifying kids for violence early and providing a safety net with appropriate

interventions for building a good school climate and safe schools. Jonathan expressed that he was not sure how to do that, or how to get policy team makers and those in a position to move on this or to at least equally address that side of the equation as well as the tactical side of the issue. Christine mentioned that she gets to see some really good police officers working closely with the schools to identify early on kids that are at risk. There was a lengthy discussion on what the JJAG can do to educate the community and address this issue. A suggestion was made for someone to come in and help us target the discussion as we must be able to explain why we think it's important. Jonathan stated that it's a two-fold issue: making sure folks know that not all mass shootings are related to a mental health component, but that it may also be the result of a systems failure to create a safety net that identifies people both adult, for the external threat, and juvenile, for the internal threat, that there is a mental health crisis about to occur and, having recognized that, have a plan in place to address the issue and have an accountability mechanism to make sure that the proper services are brought to bear. Jonathan further expressed his concern that funding will go for the tactical side and not the mental health side. A Suggestion was made to invite people in to talk to us about how we, as a state, protect youth in schools from gun violence. Ned asked how we could build some support on what Jonathan has been saying. He suggests that we allocate \$500 to find a law student to research the issue and come up with a summary on the relationship of mental health and school violence. Based on that research the student could make recommendations to address both the tactical side and the mental health side.

Motion: To Allocate \$500 for Research on the Relationship between School Violence and Mental Health issues with an eye toward addressing related Bills presented to the Legislature and to Make Alternative Recommendations.

Moved: Ned Chester/Dalene Dutton/2nd

Action: Approved with 3 Abstentions

Kathryn asked if we wanted to start looking for someone right away and we do. A question was asked on how to find this person and Kathryn responded with suggesting Carmel Dorsey at the Muskie School or Chris Northrop at UMaine Law have students available.

Jacinda Goodwin – DOE – Jacinda updated everyone on the RFP review process. Commissioner Bowen, who was scheduled to attend this JJAG Meeting, was asked by Governor LePage to be somewhere else so he was unable to attend. Commissioner Bowen wanted to be here because he has heard a lot about the JJAG and Dr. Greene. Dr. Greene is planning the Collaborative Problem Solving Conference for 2014 with an expanded two day conference. DOE has a couple of Legislative items that fall under her purview which she will share. A suggestion was made that Commissioner Bowen could come to Long Creek when we have our April JJAG meeting to be part of the Focus Group with the kids. Jacinda will check on that.

Christine Theriault – Office of Substance Abuse – Christine spoke about a couple of grants that the Office of Substance Abuse has received. The Office of Adult Mental Health and Substance Abuse merged in September and they are trying to integrate behavioral health into the work they're doing. The Partnerships For Success to Prevention Grant is focusing on 12 to 20 year olds and prevention of underage drinking and then 12 to 25 year olds prevention of

marijuana use and prescription drug abuse. The \$80,000 is going out to each of the public health districts to be evenly distributed. The treatment unit just recently received an Adolescent Treatment Grant Of just under \$2,000,000 focusing on enhancing youth treatment and recovery services across the state. The Office of Substance Abuse and Mental Health Services (SAMHS) is starting with two pilots focusing on co-occurring conditions with Day One and Kennebec Behavioral Health. SAMHS plans to bring a Prevention 101 webinar training to SAMHS System Providers and offers to send it to JJAG members to see the strategies. Legislation in this session appears to allow increasing access of alcohol to youth if passed. The Multi-Jurisdictional Task Forces through the Enforcing Underage Drinking Laws block grant are in each of the public health districts and are led by law enforcement, Judges, and prevention workers.

Patrick Walsh – Communications Committee – Patrick spoke about handing out Fact Sheets to Legislators. Facts include data on education, arrests, costs, corrections, etc. A recent student intern had put together about 12 fact sheets and he has been working on updating the data to get them in good form and appearance to send to Kathryn for circulation among the membership. Patrick was not sure if we need approval from the DOC to send to Legislators. It was suggested it would be wise to run it through DOC. Patrick will verify the process with the Legislature on how to disseminate the information.

Jim Foss, - Compliance Monitoring Committee – had nothing to report but was glad to be back.

VIII Adjourn:

The meeting adjourned at 12:15 PM.

The next meeting will be on February 27, 2013 at the Maine Criminal Justice Academy in Vassalboro.

